

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

DALLAS LOCKETT, MICHELLE	§	
LOCKETT	§	
	§	Civil Action No. 4:16-CV-703
v.	§	(Judge Mazzant/Judge Nowak)
	§	
CONN APPLIANCES INC, CONNS INC,	§	
CONN CREDIT CORPORATION INC,	§	
CONN CREDIT I LP	§	

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the reports of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On April 11, 2017, the reports of the Magistrate Judge (Dkts. #54-55) were entered containing proposed findings of fact and recommendations that Defendant Conn Credit Corporation Inc.'s Motion to Dismiss Plaintiffs' First Amended Complaint (Dkt. #15), Defendant Conn Credit I, LP's FRCP 12(b)(6) Motion to Dismiss Plaintiffs' First Amended Complaint (Dkt. #16), and Defendant Conn's Inc.'s FRCP 12(B)(6) Motion to Dismiss Plaintiffs' First Amended Complaint (Dkt. #17) each be denied and that Defendant Conn Appliances, Inc.'s Amended and Supplemental Motion to Dismiss and Compel Arbitration (Dkt. #35; Dkt. #37) be granted.

Having received the reports of the Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendant Conn Credit Corporation Inc.'s Motion to Dismiss Plaintiffs' First Amended Complaint (Dkt. #15), Defendant Conn Credit I, LP's FRCP 12(b)(6) Motion to Dismiss Plaintiffs' First Amended Complaint (Dkt. #16), and Defendant

Conn's Inc.'s FRCP 12(B)(6) Motion to Dismiss Plaintiffs' First Amended Complaint (Dkt. #17) each are **DENIED**.

It is further **ORDERED** that Defendant Conn Appliances Inc.'s Amended and Supplemental Motion to Dismiss and Compel Arbitration (Dkt. #35; Dkt. #37) are **GRANTED** and that Plaintiffs' suit against Conn Appliances, Inc. is **STAYED** pending the arbitrator's ruling on the gateway issue of arbitrability.

IT IS SO ORDERED.

SIGNED this 16th day of May, 2017.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE